

Exhibit No. 1Date 3-17-09Bill No. SB 402

Amendments to Senate Bill No. 402
1st Reading Copy

Requested by Senator Jim Peterson

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
March 16, 2009 (8:23am)

1. Title, lines 7 and 8.

Following: "DATE" on line 7

Strike: remainder of line 7 through "DATE" on line 8

2. Page 2, line 1.

Strike: subsection (h) in its entirety

Renumber: subsequent subsections

3. Page 2, line 19.

Following: line 18

Insert: "(4) (a) This section does not affect the:

(i) enforcement of the terms of a license, permit, or authorization;

(ii) power or authority of a county, city, or town to lawfully enact valid zoning, subdivision, other land use regulations or ordinances that are required by law or that are necessary to protect the public health, safety, or welfare.

(b) Compensation may not be claimed under subsection (2) for actions taken pursuant to subsection (4) (a)."

4. Page 2, line 26 through line 28.

Strike: section 4 in its entirety

- END -

Explanation - This amendment excludes "intangible business interests" from the list of property interests. This amendment excludes the enforcement of the terms of a license, permit or authorization from being a compensable taking and also excludes the enacting of zoning or other required or authorized ordinances from being a compensable taking if the ordinances are enacted to protect the public health, safety, or welfare. Removes retroactive application.